

CALIFORNIA LEGISLATURE  
2013–14 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, January 18, 2013**

**TENTH SESSION DAY**

**FORTY-SEVENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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NOTE: Official record of roll call votes. All amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. All Senate amendments to Assembly measures considered by the Assembly on this day are on file with the Secretary of the Senate and available on request. A list of all measures amended and on which amendments were offered in the Assembly is shown on the final page of this day's Assembly Journal.

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Friday, January 18, 2013

The Assembly met at 9 a.m.  
Hon. Nora Campos, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Reading Clerk Timothy Morland reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Mullin moved a quorum call of the Assembly.  
Motion carried. Time, 9 a.m.  
The Speaker pro Tempore directed the Sergeant at Arms to close the  
doors, and to bring in the absent Members.

#### Quorum Present

At 9:03 a.m., Speaker pro Tempore Campos declared a quorum of the  
Assembly present.

The roll call was completed, and the following answered to their  
names—71:

Achadjian	Dahle	Jones-Sawyer	Pérez, V. Manuel
Alejo	Daly	Levine	Quirk
Allen	Dickinson	Linder	Quirk-Silva
Atkins	Donnelly	Logue	Rendon
Bigelow	Eggman	Lowenthal	Salas
Bloom	Fong	Maienschein	Skinner
Bocanegra	Fox	Mansoor	Stone
Bonilla	Gaines	Medina	Ting
Bonta	Garcia	Melendez	Torres
Bradford	Gatto	Mitchell	Wagner
Brown	Gomez	Morrell	Waldron
Buchanan	Gordon	Mullin	Weber
Calderon	Gorell	Muratsuchi	Wieckowski
Campos	Gray	Nazarian	Wilk
Chau	Hagman	Olsen	Williams
Chávez	Harkey	Pan	Yamada
Chesbro	Hernández	Patterson	Mr. Speaker
Cooley	Jones	Perea	

### ANNOUNCEMENTS

Speaker pro Tempore Campos informed the Body of a problem with the laptop computers on Members' desks not displaying the Floor System and stated that it would not impact their voting.

### PRAYER

Upon invitation of Speaker pro Tempore Campos, the following prayer was offered by Assembly Member Richard S. Gordon, of the 24th Assembly District:

I am honored to have been asked to deliver the prayer today as we honor the legacy of Dr. Martin Luther King, Jr. His work, his words, and his life impacted my life and were critical in my decision to enter the ordained ministry.

Please join me in a moment of prayer.

*Lord, As a people, we have not yet arrived at that place where justice has been fully achieved. We continue on the long march to a world free of prejudice, discrimination, and fear. We strive for a place where the potential of all can be celebrated and achieved.*

This year we mark significant milestones on that long march. One hundred and fifty years ago this year, President Abraham Lincoln issued the emancipation proclamation freeing some who had been enslaved. And this coming August we will mark the fiftieth anniversary of the March on Washington led by the Rev. Martin Luther King, Jr.

The ancient scribes write in Deuteronomy (Chapter 16, Verse 20): Follow justice and justice alone, so that you live and possess the land the Lord your God is giving you.

Martin Luther King said, "Human progress is neither automatic nor inevitable . . . Every step toward the goal of justice requires sacrifice, suffering, and struggle: the tireless exertions and passionate concern of dedicated individuals."

Lord, may we who gather today in these Chambers, and those we serve across this great state, recommit ourselves to the march toward justice. With each step, let us lift each other up so that together we may find that place where "justice rolls down like waters, and righteousness is like an ever flowing stream."

Bless us to the road, which lies ahead.—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Campos, Assembly Member Bradford then led the Assembly in the pledge of allegiance to the Flag.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Atkins, seconded by Assembly Member Hagman.

### LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

*On legislative business: Assembly Members Ammiano, Conway, Hall, and Nestande.*

*On personal business, and waiving per diem: Assembly Members Blumenfeld and Grove.*

*Because of illness: Assembly Members Frazier, Holden, and Hueso.*

**EXPLANATIONS OF ABSENCE**

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 11, 2013

*The Honorable John A. Pérez*  
*Speaker of the Assembly*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Mr. Speaker: This letter is to respectfully request an excuse from Session on Friday, January 18, for legislative business. Thank you for your attention to this matter and if you have any questions, please contact Diana Knoles in my office at 319-2026.

Sincerely,

CONNIE CONWAY  
 Assembly Republican Leader

January 7, 2013

*The Honorable John A. Pérez*  
*Speaker of the Assembly*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Speaker Pérez: I am writing to respectfully request to be excused from Floor Session on Friday, January 18, 2013, for legislative business in my district. Thank you for your prompt attention to this matter.

Sincerely,

ISADORE HALL, III, Assembly Member  
 Sixty-fourth District

January 8, 2013

*The Honorable John A. Pérez*  
*Speaker of the Assembly*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Mr. Speaker: This letter is to respectfully request an excuse from Floor Session on Friday, January 18, 2013. I will be in my district on legislative business. If you have any questions, please call me at (916) 319-2042. Thank you for your prompt attention.

Sincerely,

BRIAN NESTANDE, Assembly Member  
 Forty-second District

(NOTE: For letter explaining the absence of Assembly Member Ammiano on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Journal for January 17, 2013.)

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

January 15, 2013

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

RE: Appointment of Catherine Hazelton to  
Physician Assistant Board

Dear Mr. Wilson: Please be advised I have appointed Ms. Catherine Hazelton to the Physician Assistant Board. This is a term appointment starting January 15, 2013, and the expiration date is January 1, 2017. Ms. Hazelton will be replacing Steven Stumpf.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

January 15, 2013

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

RE: Reappointment of Laurence Kaplan to  
California Board of Accountancy

Dear Mr. Wilson: Please be advised I have reappointed Mr. Laurence Kaplan to the California Board of Accountancy. This is a term appointment starting January 15, 2013, and the expiration date is January 1, 2017.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

January 15, 2013

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

RE: Appointment of Eric Alegria to Prison Industry Board

Dear Mr. Wilson: Please be advised I have appointed Mr. Eric Alegria to the Prison Industry Board. This is a term appointment starting January 15, 2013, and the expiration date is January 1, 2014.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

**REFERRAL OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following bills were referred to committee:

*Assembly*

<i>Bill No.</i>	<i>Committee</i>
<b>53</b> -----	J., E.D. & E.
<b>54</b> -----	E. & R.
<b>56</b> -----	Ed.
<b>58</b> -----	Health
<b>60</b> -----	Trans.
<b>61</b> -----	L. Gov.
<b>62</b> -----	Trans.
<b>63</b> -----	Pub. S.
<b>65</b> -----	Pub. S.
<b>67</b> -----	Higher Ed.
<b>68</b> -----	Pub. S.
<b>70</b> -----	Budget
<b>72</b> -----	L. Gov.
<b>115</b> -----	E.S. & T.M.
<b>116</b> -----	L. Gov. and H. & C.D.
<b>117</b> -----	A. & A.R.
<b>118</b> -----	E.S. & T.M.
<b>119</b> -----	E.S. & T.M. and Health
<b>120</b> -----	E.S. & T.M.
<b>123</b> -----	Ed.
<b>125</b> -----	P.E.,R. & S.S.
<b>126</b> -----	Jud.

*Assembly Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
<b>3</b> -----	Trans.
<b>4</b> -----	Rls.

*Assembly Joint*

<i>Resolution No.</i>	<i>Committee</i>
<b>3</b> -----	Jud.

**ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR**

Assembly Member Mitchell was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests in the Assembly Chamber and at the Rostrum for the special ceremony today in observance of Martin Luther King, Jr. Day.

**RECESS**

By unanimous consent, at 9:08 a.m., Speaker pro Tempore Campos declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Wagner introduced Hon. Scott Voigts, Mayor of Lake Forest and Hon. Diana Fascenelli and Hon. Greg Mills, Council Members of Villa Park.

Assembly Member Harkey introduced Hon. John Taylor, Mayor of San Juan Capistrano; Hon. Roy Byrnes, San Juan Capistrano City Council Member; and Andrew Blount, Laguna Hills City Council Member.

Assembly Member Williams introduced Gail Teton-Landis, member of the Santa Barbara Commission for Women, and Tracy Beard.

**RECONVENED**

At 9:12 a.m., the Assembly reconvened.

Hon. Holly J. Mitchell, 54th District, presiding.

**RECESS IN HONOR OF MARTIN LUTHER KING, JR. DAY**

Acting Speaker Mitchell, Chair of the California Legislative Black Caucus addressed the Body.

**VIDEO PRESENTATION**

Acting Speaker Mitchell was granted unanimous consent that a video honoring the life and accomplishments of Dr. Martin Luther King, Jr., be presented to the assemblage.

**RECONVENED**

At 9:19 a.m., the Assembly reconvened.

Hon. Nora Campos, Speaker pro Tempore, 27th District, presiding.

**CONSIDERATION OF DAILY FILE  
THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY CONCURRENT RESOLUTION NO. 2 (Mitchell)**—Relative to Martin Luther King, Jr. Day.

Resolution presented by Assembly Member Weber.

Resolution read.

**Assembly Rule 112 Suspended**

Assembly Member Bradford was granted unanimous consent that Assembly Rule 112 be suspended to permit him to read a paper on the Floor of the Assembly.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 2**

Assembly Member Weber was granted unanimous consent to suspend the Rules to permit Members to be listed as additional coauthors of Assembly Concurrent Resolution No. 2.

**Additional Coauthors**

The following Assembly Members requested to be listed as additional coauthors:

Achadjian, Alejo, Allen, Atkins, Bigelow, Bloom, Bocanegra, Bonilla, Bonta, Bradford, Brown, Buchanan, Ian Calderon, Campos, Chau, Chávez, Chesbro, Cooley, Dahle, Daly, Dickinson, Donnelly, Eggman, Fong, Fox, Beth Gaines, Garcia, Gatto, Gomez, Gordon, Gorell, Gray, Hagman, Harkey, Roger Hernández, Jones, Jones-Sawyer, Levine, Linder, Logue, Lowenthal, Maienschein, Mansoor, Medina, Melendez, Mitchell, Morrell, Mullin, Muratsuchi, Nazarian, Olsen, Pan, Patterson, Perea, John A. Pérez, V. Manuel Pérez, Quirk, Quirk-Silva, Rendon, Salas, Skinner, Stone, Ting, Torres, Wagner, Waldron, Weber, Wieckowski, Wilk, Williams, and Yamada.

**Request for Unanimous Consent**

Assembly Member Weber was granted unanimous consent to take up Assembly Concurrent Resolution No. 2, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 2, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 2**—Relative to Martin Luther King, Jr. Day.

Resolution read, as amended, and adopted.

Resolution ordered reprinted and transmitted to the Senate.



**At 10:08 a.m., Hon. Holly J. Mitchell, 54th District, presiding**

**REMARKS OFFERED**

Acting Speaker Mitchell, Chair of the California Legislative Black Caucus thanked Assembly Member Gordon for offering today's prayer and expressed appreciation to the Members of the Assembly for their participation in the Assembly's observance of Martin Luther King, Jr. Day.

Acting Speaker Mitchell advised the Members of the special exhibit in the Rotunda in honor of the 50th Anniversary of the "March on Washington for Jobs and Freedom" and the images outside the Chamber of the Martin Luther King, Jr. Monument in Washington, D.C.

Acting Speaker Mitchell welcomed Members and staff to a reception in the Willie L. Brown, Jr. Conference Room upon adjournment of Floor Session.

**At 10:09 a.m., Speaker pro Tempore Nora Campos, 27th District, presiding**

**ANNOUNCEMENT**

Assembly Member Achadjian offered congratulations to Speaker Pérez who was awarded the "Hakarat Hatov" Community Service Award by the Harkham Hillel Hebrew Academy.

**ADJOURN IN MEMORY**

Assembly Members Bloom, Bonilla, and Lowenthal were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gerda Lerner of Madison, Wisconsin.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Brown was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. John Quimby, former Member of the Assembly, resident of Carmichael.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Fong was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Vince Garrod of Saratoga.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Members Harkey and Gorell, on behalf of Assembly Member Conway, were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sylvia Belle Thurman of Sacramento.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Jones was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Larry Urdahl, former Board Member and Trustee of the Grossmont Union High School District, resident of Alpine.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Jones was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Georgia Neives Tucker, Kumeyaay Native, former Sycuan Chairwoman, resident of El Cajon, Sycuan Reservation.

(Assembly Rule 45.5 suspended.)

**ANNOUNCEMENTS**

Speaker pro Tempore Campos announced the following session schedule:

Monday, January 21, 2013, Holiday in observance of Martin Luther King, Jr. Day;

Tuesday, January 22, 2013, Floor Session, 12 noon;

Wednesday, January 23, 2013, Check-in Session, 7 a.m.–3 p.m.;

Thursday, January 24, 2013, Floor Session, 8:30 a.m. for the Governor's State of the State Address;

Friday, January 25, 2013, No session.

**ADJOURN IN MEMORY**

Assembly Member Campos was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rev. Ernesto "Ernie" Segovia of San Jose.

Assembly Member Campos was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Capt. Jose Martinez, San Jose Fire Department, resident of San Jose.

Assembly Member Campos was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Florencio C. Rodarte of San Jose.

Assembly Member Gordon was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Evelyn Stanton of Foster City.

Assembly Member Lowenthal was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Trevor Stevens and Tamara Estelle Lipson of Long Beach.

Assembly Member Salas was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Shirley Ann Bowers Hodges and Carlene Casida of Avenal.

Assembly Member Wilk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marjorie Ann Wanbaugh of Valencia.

Assembly Member Yamada was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Douglas Clark Ryen of Davis.

**MOTION TO ADJOURN**

At 10:28 a.m., Assembly Member Atkins moved that the Assembly do now adjourn.

Assembly Member Hagman seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 10:28 a.m., Speaker pro Tempore Campos declared the quorum call of the Assembly dispensed with.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 144—Wilk.** An act to amend Section 51870 of the Education Code, relating to education.

**ASSEMBLY BILL NO. 145—Perea and Rendon.** An act to add Sections 116271, 116272, and 116760.25 to the Health and Safety Code, relating to drinking water.

**ASSEMBLY BILL NO. 146—Gorell.** An act relating to economic development.

**ASSEMBLY BILL NO. 147—V. Manuel Pérez.** An act add to Article 3 (commencing with Section 2950) to Chapter 13 of Division 3 of the Fish and Game Code, relating to the environment.

**ASSEMBLY BILL NO. 148—V. Manuel Pérez.** An act to add Chapter 8.65 (commencing with Section 25752) to Division 15 of the Public Resources Code, relating to renewable energy.

**ASSEMBLY BILL NO. 149—Weber.** An act relating to elections.

**ASSEMBLY BILL NO. 150—Olsen (Coauthors: Achadjian, Chávez, and Gorell) (Coauthor: Senator Cannella).** An act to add Section 5011.6 to the Public Resources Code, relating to state parks.

**ASSEMBLY BILL NO. 151—Olsen (Coauthors: Achadjian, Chávez, Donnelly, Gorell, and Wiewowski) (Coauthors: Senators Cannella and Fuller).** An act to add Section 17951.5 to the Health and Safety Code, relating to local government fees.

**ASSEMBLY BILL NO. 152—Yamada.** An act to add Article 2.3 (commencing with Section 1301) to Chapter 5 of Division 1 of, and to repeal and add Section 1300 of, the Unemployment Insurance Code, relating to unemployment insurance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 153—Bonilla.** An act to add Part 8 (commencing with Section 38600) to Division 25.5 of the Health and Safety Code, relating to greenhouse gases.

**MESSAGES FROM THE SENATE**

Senate Chamber, January 18, 2013

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 7

GREGORY P. SCHMIDT, Secretary of the Senate  
By Bernadette McNulty, Assistant Secretary

**FIRST READING OF SENATE BILLS**

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 7—Relative to Martin Luther King, Jr. Day.**

**INTRODUCTION OF GUESTS**

Assembly Member Weber, of the 79th Assembly District, introduced Racquel Vasquez, Lemon Grove City Council Member.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Atkins, the Assembly adjourned until 12 noon, Tuesday, January 22, 2013, out of respect to the memory of Gerda Lerner on motion of Assembly Members Bloom, Bonilla, and Lowenthal; out of respect to the memory of Hon. John Quimby on motion of Assembly Member Brown; out of respect to the memory of Vince Garrod on motion of Assembly Member Fong; out of respect to the memory of Sylvia Belle Thurman on motion of Assembly Members Harkey and Gorell, on behalf of Assembly Member Conway; out of respect to the memory of Larry Urdahl and Georgia Neives Tucker on motion of Assembly Member Jones; out of respect to the memory of Rev. Ernesto “Ernie” Segovia, Capt. Jose Martinez, and Florencio C. Rodarte on motion of Assembly Member Campos; out of respect to the memory of Evelyn Stanton on motion of Assembly Member Gordon; out of respect to the memory of Trevor Stevens and Tamara Estelle Lipson on motion of Assembly Member Lowenthal; out of respect to the memory of Shirley Ann Bowers Hodges and Carlene Casida on motion of Assembly Member Salas; out of respect to the memory of Marjorie Ann Wanbaugh on motion of Assembly Member Wilk; and out of respect to the memory of Douglas Clark Ryen on motion of Assembly Member Yamada.

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

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